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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,696	11/24/2003	Takahiro Miwa	02-343144	3229

21254 7590 10/03/2006

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC  
8321 OLD COURTHOUSE ROAD  
SUITE 200  
VIENNA, VA 22182-3817

EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
	2618

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/718,696	MIWA, TAKAHIRO	
	Examiner Tilahun B. Gesessse	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 11/24/06.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
     Paper No(s)/Mail Date 11/24/03, 5/04/04 & 7/19/05

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION*****Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yi (US 7,003,040) in view of Imagawa et al (US 2002/0031262 A1).

Claim 1, Yi teaches a cellular telephone set capable of displaying still images on screen (see figs.2-3 and col. 2, lines 47-65).

Yi teaches displaying an image display screen (see figs. 2-3).

Yi teaches a frame display screen selected on the image display screen for animation display per frame number form simultaneously with each other a display screen (see col.10, lines9-18 and figs.2-3).

Yi does not teach thumbnail form contents of images displaying still images can be seen at a glance.

However, Imagawa teaches thumbnail form consists of images display can be seen at a glance (page 2, paragraph 0021-0026 and page 6, para 0107

and fig 4). Both Yi and Imagawa teaches still image display cell phone, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to store thumbnail form consecutive image in the Yi system, as evidenced by Imagawa , in order to, in an organized manner , easy to manage the consecutive frames of photographs at the display by selecting a frame of photo for view.

Claims 2,7,12 Yi teaches said still images are still images consecutively picked up by a consecutive photographing function using a digital camera (column 4, lines 42-52 and fig.2).

Claims 3,8,13, Yi teaches a plurality of still images consecutively picked up by said consecutive photographing function are displayed in said image display screen, (column 4, lines 42-52 and fig.2)

Yi teaches the still images selection the image display screen are displayed in said frame display screen and registered as animation (column 4, lines 42-52 and fig.2).

Claims 4,9,14, Yi teaches a reproduction speed of said still images registered as animation is variable (column 4, lines 42-52 and fig.2).

Claims 5 ,10,15 Yi teaches repeat setting in the still images registered as animation is variable (see column 4, lines 42-52 and fig.2)

Claim 6. Yi teaches A self-produced animation setting method of consecutive images of cellular telephone capable of displaying still image on a display screen (see figs,2-3 and col. 2,lines 47-65).

Yi teaches displaying an image display screen (see figs. 2-3).

Yi teaches a frame display screen selected on the image display screen for animation display per frame number form simultaneously with each other a display screen (see col.10, lines9-18 and figs.2-3).

Yi does not teach thumbnail form contents of images displaying still images can be seen at a glance.

However, Imagawa teaches thumbnail form consists of images display can be seen at a glance (page 2, paragraph 0021-0026 and page 6, para 0107 and fig 4). Both Yi and Imagawa teaches still image display cell phone, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to store thumbnail form consecutive image in the Yi system, as evidenced by Imagawa , in order to, in an organized manner , easy to manage the consecutive frames of photographs at the display by selecting a frame of photo for view.

Claim 11, Yi teaches a computer executable program of a self-produced animation setting method of consecutive images of cellular telephone capable of displaying still image on a display screen, (see figs,2-3 and col. 2,lines 47-65).

Yi teaches displaying an image display screen (see figs. 2-3).

Yi teaches a frame display screen selected on the image display screen for animation display per frame number form simultaneously with each other a display screen (see col.10, lines9-18 and figs.2-3).

Yi does not teach thumbnail form contents of images displaying still images can be seen at a glance.

However, Imagawa teaches thumbnail form consists of images display can be seen at a glance (page 2, paragraph 0021-0026 and page 6, para 0107 and fig 4). Both Yi and Imagawa teaches still image display cell phone, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to store thumbnail form consecutive image in the Yi system, as evidenced by Imagawa , in order to, in an organized manner , easy to manage the consecutive frames of photographs at the display by selecting a frame of photo for view.

Claims 1,6,11, in line 1 and 2 respectively, recite "capable of", the underlined phrase is an intended use, claims that recite the intended use, the reference inherently discloses the structure that permits the function to be performed.

### **Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

9/28/06



TILAHUN GEESSE  
PRIMARY EXAMINER